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C O N F I D E N T I A L SECTION 01 OF 03 BRUSSELS 001641

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SUBJECT: A/S FRIED MEETING WITH EU DIRECTOR GENERAL ROBERT COOPER

Classified By: USEU POLMINCOUNS Christopher Davis, for reasons 1.4 (b) and (d).

11. (C) BEGIN SUMMARY: A/S Fried used his October 22 meeting with EU Director General Robert Cooper to press for the EU to keep pressure on the Russians to comply with their obligations under the cease fire. While Cooper indicated that he believed the EU would unfreeze its discussions with the Russians on the partnership agreement, he left no doubt that the EU would continue to push for full Russian compliance with the cease fire. On Kosovo, Fried urged the EU to be clear to Belgrade and Moscow that EULEX would fully deploy whether or not they agreed. He noted the importance of the precedent set by U.S. participation in the EU's crisis management mission. Cooper suggested that the best way forward in Bosnia was to end the Office of the High Representative and combine the various EU operations into a consolidated mission, using this as pretext to launch a process of constitutional revision. He urged the US to participate in the new EU Bosnia mission. Fried suggested a joint U.S.-EU trip to the region.  
END SUMMARY

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GEORGIA  
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12. (C) A/S Fried expressed dismay over assertions of Russian compliance with the cease-fire made by French NATO Perm Rep Pascale Andreani at a dinner he and EU Director General Robert Cooper had attended the previous evening. Fried wondered why Andreani had felt compelled to make such an assertion, noting that the comments were at odds with the view of the French FM and plain reality. Cooper assured him that her comments did not reflect a broader EU view. Fried noted that Andreani's comments had come as a surprise, as the U.S. has strongly appreciated Sarkozy's work on Georgia. Cooper agreed with Fried that the US-EU "diplomatic tag team" effort had been an effective approach. Georgia would be on the EU's agenda in each meeting with Russia, even -- to the chagrin of Russia -- the upcoming ASEM Summit.

13. (C) Fried noted the precariousness of the situation in Georgia. With South Ossetian gangs raiding farms of newly-returned Georgians, the return of Georgian police to the adjacent areas could bring clashes with South Ossetian militia. In Akhalkgori, Georgian villages under Russian occupation were only 400 meters from Georgian checkpoint, well within small arms range. Council Secretariat Policy Unit Director Helga Schmid indicated that obtaining access to all areas for the EU Monitoring Mission was a key EU priority. Cooper opined that Akhalkgori might be a special case, however, as the Russians said that it was a remote area

that contained fewer than fifty Georgians. Fried was quick to correct this misapprehension, noting that he had recently been within seven kilometers of Akhalgori and could have walked there on a paved road. Fried agreed with Cooper that Russia was unlikely to pull back and noted that Russia did not welcome international community discovery of ethnically cleared areas and razed villages.

¶4. (C) Helga Schmid commented that Russian troops largely appear to be behaving acceptably, with South Ossetian irregulars the main problem. Fried added that the Russians were nevertheless responsible for the areas of Georgia they now control. She said the Russians attempt to convince the EU that they have no control over these militias. Schmid characterized FM Sergey Lavrov as complicating things, while DFM Karazin was "forthcoming." She disclosed that she had a weekly meeting with Russian EU Ambassador Chizov, with Georgia on the agenda. Schmid noted that Ossetian unruliness had also been observed in the diplomatic sphere, with Abkhaz representatives overheard insulting Russians in Geneva. Fried noted that Secretary Rice had warned the Russians that they were creating a monster, prompting Cooper to wryly comment that "only a superpower can understand how difficult clients can be."

¶5. (C) Fried said it was important get the EUMM and OSCE observers into all areas and to force the Russians to take responsibility for what had taken place. The EUMM might not be able to prevent incidents, but must quickly fix responsibility. Schmid agreed and said that HoM Haber called Brussels directly upon learning of incidents. Fried noted

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that on his visit to the EUMM field office he had found it to be well organized, with efficient French and Polish staff playing key roles, but just getting started on the ground. Cooper wondered whether the Russian interlocutors were equally well organized, acknowledging visits to the EUMM by drunken Russian soldiers.

¶6. (C) In this strange and explosive situation, U.S. public statements of support for Georgia's leaders were being complemented by frank private prescriptions, explained Fried. The U.S. message to Georgian leaders was that there must be no violent actions or pursuit of confrontation, and that Georgia must pursue reforms and democracy. He described the Governor of Gori District's approach to the way forward for Georgia, emphasizing building the economy to attract the Ossetians and Abkhaz. Cooper and Schmid voiced their approval, noting that this had been the EU message to Georgia.

¶7. (C) Cooper said that the EU would work, with Pierre Morel in the lead, to stabilize the situation through the Geneva process. Schmid commented that the EU approach was hampered by Russia "trying to bilateralize the issues." For example, FM Lavrov had written to Kouchner about issues that should be addressed in Geneva. The Geneva process might need to be shored up if it was to remain viable. The Russians had said that December 31st would be its last day, she said, because they hope to limit dealings with the Czech EU Presidency. She had vainly attempted to convince them that Morel was in charge of the Geneva process, not the EU Presidency. Cooper concluded that "Geneva may not exist by December 31."

¶8. (C) Fried noted that Russia would continue to try and divide us. It was therefore vital that our statements and actions be consistent. Cooper acknowledged that EU statements indicating that progress on EU-Russia relations would be put on hold until the Russian forces returned to pre-8/7 positions did not reflect actual EU intentions. Schmid said the key EU-Russia objectives were a new EU-Russia Agreement (formerly known as the Partnership and Cooperation agreement) and an Energy Charter. Schmid openly conceded that the EU was the demandeur on these issues and had little leverage over the Russians, saying that "Chizov laughs at

us." Cooper said that the decision to re-engage on these issues had not been formally taken, "but you see the direction" of the EU's approach to relations with Russia. Fried recommended that the EU ensure that it had a positive agenda with the Russians that would include help for Georgia and Ukraine. Cooper agreed, adding that the EU would also focus on Belarus and Moldova.

¶9. (C) Financial tools needed to be calibrated, said Fried, by using mechanisms like measures targeted at businesses profiting from the situation in South Ossetia and Abkhazia, perhaps drawing from the Moldovan model. Cooper noted the value of this approach and said that EU consideration of these sorts of tools would soon commence, after a European Commission audit. Ambassador Silverberg raised the need to also ensure that the European Commission funds not end up supporting the South Ossetian separatist regime. Cooper agreed and said that Commissioner Benita Ferrero-Waldner had already provided assurances that would not happen. Schmid said that in order to assert Georgia's territorial integrity, it was "territorially correct" to extend assistance to all citizens of Georgia wherever they live, but as a practical matter it would be impossible to direct funds to the breakaway regions because of the limitations on access and monitoring. Fried asked whether we should develop a non-recognition policy similar to the approach the U.S. had employed toward the Baltic States. Cooper noted this point with interest, describing it as that it provided a useful model that the EU should now consider.

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KOSOVO  
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¶10. (C) EU Council Secretariat Balkans Director Stefan Lehne was optimistic about prospects for progress on EULEX deployment. During his recent visit to Belgrade, Tadic had been "forthcoming" about the need to cooperate in EULEX deployment. The next UNMIK report would include a paragraph on EULEX. The EU's plan is to pursue a PRST lifting from the language in the SYG's reconfiguration plan, which says that

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"EULEX will work within the status-neutral framework of the UN." A/S Fried said he would consult with Department lawyers.

¶11. (C) Lehne voiced concerned, however, over communication between the UN's David Harland and Belgrade undermining the EU's efforts. Ambassador Silverberg asked whether the French Presidency had raised this point with LeRoy. Cooper agreed that some of the UN's moves were a problem.

¶12. (C) Lehne would return to Belgrade for talks on Friday with the EULEX paragraph to be sent to the UN report on Monday for UNSC discussion on November 4. Fried queried why the EU was confident that Moscow would not be unhelpful, as had previously been the Russian reflex on Kosovo. Lehne responded that Lavrov had told the Serbs that he would not be "more Serb than Belgrade." Fried commented that it would be important for Lehne to specify in Belgrade that the EU would go ahead its plans for EULEX if Russia blocked progress at the UN. Belgrade should be mindful that its European future was at stake. Lehne said that the Serbs had "inflicted the ICJ resolution" and would therefore accept EULEX in order to unfreeze the Stabilization and Association Agreement with the EU.

¶13. (C) Fried noted that the US would shortly sign a participation agreement formalizing U.S. participation in EULEX. This would be the first U.S. participation in an ESDP operation. Fried said that this "irreversible precedent" would establish a new foundation for US-EU relations.

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¶14. (C) In Bosnia, the Office of the High Representative was dead or dying due to Russia's position, said Cooper. Using the Bonn powers was now extremely difficult, as Dodik was aware how to take advantage of divisions within the international community. Cooper opined that continuing OHR without the Bonn powers was not satisfactory. He said that it seemed necessary to substitute the EU "power of attraction for international community's power of coercion." He suggested that the separate EU institutions in Bosnia -- military mission, EU Special Representative, European Commission delegation -- might be brought together to unite political and program tools, keeping vestigial Bonn powers. He invited US participation in this EU organization, describing it as "absolutely vital".

¶15. (C) Fried noted that the deeper problem was Dodik's separatism, the deterioration of Bonn powers and weakening of OHR. He wondered how to apply pressure and provide Bosnians a credible roadmap. Cooper responded that the solution was to reform the Bosnian Constitution, but in a manner compatible with what the EU requires. If the European Union's separate roles in Bosnia were combined, he said, there would be a technical pretext to make the needed changes. Cooper said that the issue would not be ready for decision until the spring. To prepare the way and help shape more constructive behavior from Dodik and Ciladzic, Kouchner would be traveling to Bosnia and Solana was being encouraged to go as well. Fried suggested that a joint US-EU trip might be useful.

¶16. (U) Assistant Secretary Fried cleared this cable.

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